

Warrant Article to Modify Process for Granting Special Permits A2

This article would shift Special Permit Granting Authority (SPGA) for Special Permits A2 from the Zoning Board of Appeals (ZBA) to the Planning Board.

There are three (3) major goals that would be accomplished by this zoning change:

GOAL 1: Streamline the process and more evenly distribute the workload between the two Boards.

Under the current process both the Planning Board and the ZBA go through the exact same Site Plan Review for Special Permit A2 applications. Applicants and abutters are required to attend multiple hearings. Abutters leave the Planning Board hearings confused as to the outcome, not understanding that the entire hearing they just sat through was just to generate a non-binding recommendation and not an approval or disapproval.

The Planning Board is currently the permit granting authority for subdivisions and FRDs (Special Permit A3) and makes non-binding site plan review recommendations on Special Permit A2 and non-residential building permit applications. The ZBA would remain as the permit granting authority for all Special Permits A1, as well as for variances and 40B projects. The ZBA also hears all building permit appeals.

GOAL 2: Put decision-making in the hands of elected planning officials.

Planning Board members and staff are regularly approached by members of the public, Town Hall employees and even other elected officials with questions based on the assumption that it was the Planning Board who issued the final “approval” for a project. It often comes as a great surprise that large projects which have significant impacts on the Town are decided by the Zoning Board of Appeals, a three-member board appointed by the Selectmen, rather than the elected Planning Board. A review of more than eighty towns in the Greater Boston Metropolitan Area demonstrates that Hingham’s current system, whereby the ZBA is the primary Special Permit Granting Authority for larger and more complex projects, is more of the exception than the rule.

GOAL 3: Issuance of decisions that respect the rights of both the applicants and surrounding property owners and are more in line with the goals of the zoning bylaw.

The current process creates inherent conflicts between the ZBA and Planning Board, whose recommendations often differ. Conditions aimed at mitigating project impacts may be recommended by the Planning Board, but ultimately not included in the ZBA’s final decision. In addition, permit conditions should clearly and effectively reflect the requirements of the zoning by-law. Each special permit decision individually may not make a large impact, but the cumulative impact of these projects on quality of life issues in the Town is significant, particularly when not sufficiently mitigated.



Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1: Amend Section I-C by deleting the words “Board of Appeals” each time they appear and substituting therefor the words “Permit Granting Authority”.

Item 2: Amend Section I-D by:

(a) deleting subsection 2.b. in its entirety and substituting therefor the following:

“Special Permit A1 - To hear and decide an application for a Special Permit A1 as provided in this By-Law, only for uses in specified districts which are in harmony with the general purposes and intent of this By-Law and which shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.”;

(b) in subsection 3 inserting the phrase “A1” after the words “Special Permit” in the first sentence thereof;

(c) in subsection 3 deleting the second paragraph thereof in its entirety; and

(d) deleting subsection 4 thereof in its entirety.

Item 3: Delete Section I-F in its entirety and substituting therefor the following:

“I-F Special Permits

1. Special Permit Granting Authority

Effective as of April __, 2006, the Board of Appeals shall be the Special Permit Granting Authority for any use requiring a Special Permit A1 under this By-Law and the Planning Board shall be the Special Permit Granting Authority for any use requiring a Special Permit A2 under this By-Law, including all modifications of any Special Permit A2 issued prior to such effective date. Two associate members of the Planning Board may be appointed by the Board of Selectmen to act on Special Permit A2 applications if necessary. No member of the Planning Board shall act on any matter in which the member may have a personal or financial interest, and in such event, an associate member shall be designated to serve on the Planning Board and to act upon the matter.

2. Procedures for Application, Hearing and Decision

Each application for a Special Permit shall be filed with the Town Clerk, with duplicate copies submitted in accordance with the regulations of the Special Permit Granting Authority. The Special Permit Granting Authority shall hold

a public hearing on the application, as provided in Massachusetts General Laws Chapter 40A, within 65 days of the filing of a complete application and shall render a decision within ninety (90) days from the close of the public hearing. Failure to take action within the said ninety (90) day period shall be deemed to be a grant of the permit applied for.

The Special Permit Granting Authority may grant, grant with conditions, deny, or grant leave to withdraw an application for a Special Permit. A copy of the decision shall be filed with the Town Clerk and the Planning Board (if granted by the Board of Appeals), and shall be furnished the applicant and property owner, in accordance with Massachusetts General Laws Chapter 40A.

The applicant shall be responsible for filing a certified copy of the decision in the Registry of Deeds or, where applicable, in the Land Court. Prior to the issuance of a Building Permit, the applicant shall present to the Building Commissioner evidence of such recording.

3. Review Criteria

In reviewing each such application the Special Permit Granting Authority shall study the site plan with reference to the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally, including its amenities. In addition to making the Special Permit findings, the Special Permit Granting Authority shall consider the specific site plan review items listed in Section I-I, 4.

The Special Permit Granting Authority shall limit the proposed development so that its impact on each of the municipal services, ways, utilities and other resources does not exceed its existing design capacity, as determined by the Special Permit Granting Authority. This limitation shall be imposed upon the proposed development regardless of the intensity of development otherwise permitted by Section III-A and Section IV-A.

The costs of professional consultants, experts or assistance incurred by the Board of Appeals or Planning Board shall be borne by the applicant. However, the costs to be paid by the applicant shall not exceed the reasonable and usual charges of said consultants or other experts for such services nor shall they exceed the greater of \$10,000 or one percent (1%) of the total projected cost of the project (inclusive of engineering, architectural, and legal fees and other soft costs). The applicant shall deposit with his application an appropriate portion of the anticipated review costs as determined by the Boards' administrators as security for payment on such costs. No occupancy permit may be issued in accordance with Section I-C of this By-Law until the applicant has paid or reimbursed the Town for all such costs.

4. Approval Criteria

An applicant is not entitled to a Special Permit. The Special Permit Granting Authority may approve such application for a Special Permit if it finds that, in its judgment:

- a. use of the site is in harmony with the general purpose and intent of this By-Law;
- b. the proposed use complies with the purposes and standards of the relevant specific sections of this By-Law;
- c. the specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area;
- d. the use as developed and operated will create positive impacts or potential adverse impacts will be mitigated;
- e. there will be no nuisance or serious hazard to vehicles or pedestrians;
- f. adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use; and
- g. the proposal meets accepted design standards and criteria for the functional design of facilities, structures, stormwater management, and site construction.

5. A Special Permit shall lapse within a two (2) year period or a shorter period if so specified by the Special Permit Granting Authority, which shall not include any time required to pursue or await the determination of an appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17, and if a substantial use thereof has not sooner commenced except for good cause, or in the case of a permit for construction, if construction has not begun within the period except for good cause.

6. Repetitive Petitions

No Special Permit A2 application which has been unfavorably and finally acted upon by the Planning Board shall be acted favorably upon within two (2) years after the date of final unfavorable action unless all but one of the members of the Planning Board, after notice is given to parties in interest of the time and place of the proceedings to consider consent, finds specific and material changes in the conditions upon which the previous unfavorable action was based, describes such changes in its records.”

Item 4: Delete Section I-G in its entirety and replace therefor the following:

“I-G Special Permits with Site Plan Review (A2)

Site plan review is required for all Special Permits designated A2 in this By-Law. Such site plan review is conducted by the Planning Board as the Special Permit A2 granting authority. Each application to the Planning Board for a Special Permit A2 must include all the information and plans required for site plan review. (See Section I-I,

3.) The Planning Board shall transmit forthwith a copy of the application to and may consult with other Town agencies, boards and officials as it deems appropriate. The Planning Board shall review and investigate each such application in accordance with the criteria and standards for site plan review listed in Section I-I, 4.”

Item 5: Amend Section I-I by:

- (a) deleting subsection 2 in its entirety and renumbering the subsequent subsections accordingly; and
- (b) amending renumbered subsection 3 (Review Standards) by deleting the words “and Zoning Board of Appeals” in the first sentence thereof.

Item 6: Delete Section I-J in its entirety and substitute therefor the following:

“I-J Fees

At the time of filing an Appeal or an application for a Variance or a Special Permit, the applicant shall pay a fee to the Town Clerk, according to the following schedule:

- a. single-family residential Variance or Appeal \$200.00;
- b. application for sign under Section V-B \$100.00; and
- c. all other applications \$300.00.

Agencies of the Town are exempt from all filing fee requirements.”

Item 7: Amend Section III of the By-Law by:

- (a) amending Section III-A under “A2” to delete the words “by the Board of Appeals as provided in Section I-G” and substituting therefor the words “by the Planning Board as provided in Sections I-F and I-G” and by deleting the words “the Board of Appeals in the last sentence thereof and substituting therefor the words “a Special Permit Granting Authority”;
- (b) amending Section III-E by deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Special Permit Granting Authority”;
- (c) amending Section III-G, 5 by deleting the words “Planning Board and/or the Board of Appeals” wherever they appear and substituting therefor the words “Permit Granting Authority”;
- (d) amending Section III-G, 6 by deleting the words “Board of Appeals” wherever they appear and substituting therefor the words “Planning Board”; and
- (e) amending Section III-I, 1(b) by deleting the words “Board of Appeals” and substituting therefor the words “Planning Board”.

Item 8: Amend Section IV of the By-Law by:

- (a) in Section IV-B, 10.e. delete the words “Board of Appeals” wherever they appear and substitute therefor the words “Board of Appeals”;
- (b) in Section IV-D delete the phrase “A3” wherever it appears and substitute therefore the phrase “A2”;
- (c) in Section IV-E delete the words “Board of Appeals” wherever they appear and substitute therefor the words “Planning Board”;
- (d) in Section IV-F delete the words “Board of Appeals” and “Board” wherever they appear and substitute therefor the words “Planning Board”; and
- (e) in Section IV-G *[insert appropriate modifications of Mixed-Use bylaw]*.

Item 9: Amend Section V of the By-Law by:

- (a) in Section V-A deleting the words “Zoning Board of Appeals” wherever they appear and substituting therefor the words “Planning Board”;
- (b) in Section V-C deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Planning Board” and amending the name of subsection 2 thereof from “Application and Reference to Planning Board” to “Application”;
- (c) in Section V-E deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Planning Board”;
- (d) in Section V-F deleting subsection (h) in its entirety and relettering subsection (i) to (h) accordingly;
- (e) in Section V-G, 4.g. deleting the words “Zoning Board of Appeals” and substituting therefor the words “Planning Board”; and
- (f) in the second paragraph of Section V-G, 4. j. deleting the phrase “or Board of Appeals”.

Item 10: Amend Section IV by:

- (a) in the definitions of “Nonconforming Structure” and “Nonconforming Use” substitute the words “Permit Granting Authority” for “Board of Appeals”;
- (b) inserting the following definition after the definition of the term “Nonconforming Use”: “Permit Granting Authority – the Board of Appeals under Section I-D or the Planning Board under Section I-F, as designated in this By-Law”; and

- (c) inserting the following definition after the definition of the term “Slope”:
“Special Permit Granting Authority – the Board of Appeals or the Planning Board as designated in Section I-F, 1 of this By-Law.”

or act on any matter related thereto.

A Brief Chronology of Special Permits in Hingham

- Massachusetts General Law Chapter 40A, Section 9 indicates that “Zoning Ordinances or by-laws may provide that certain classes of special permits shall be issued by one special permit granting authority and others by another special permit granting authority.”
- Hingham’s first Zoning By-Law (194), designated uses as either permitted or not permitted. There were no Special Permits.
- In 1962 a provision was put into the By-law allowing the Zoning Board of Appeals to grant Special Permits when “it is found that the uses involved will not be detrimental to the surrounding neighborhood...” No specific uses were designated as Special Permit Uses, however, and no Site Plan Review criteria were established.
- In 1964 the By-Law was modified to include a use table that specifically designated uses as P (Permitted) A (Special Permit), or O (Prohibited).
- In 1965 a requirement was added to the By-Law to require Site Plan Review for all Special Permits in accordance with set criteria (traffic, off-site impacts, etc.) Site Plan Review was conducted by the Board of Appeals, informed by a written letter of recommendation from the Planning Board. The provision to require Site Plan Review for all building projects over \$5,000 was also put in place at this time.
- In 1978 the By-Law was modified further to create a two classes of Special Permits: A1, which were granted directly by the Board of Appeals, and A2, which required Site Plan Review by both the Planning Board (who issued a recommendation) and the ZBA (who issued a final decision). Since that time a variety of new uses have been added to the By-Law, which are permitted only with Special Permits A-2. Additionally, the procedure for Site Plan Review has been “tweaked” several times, though the basic procedure has stayed the same.
- In 1986 Site Plan Review was modified to permit the engagement of professional consultants to assist the ZBA or Planning Board in their determination.
- In 1997 the entire By-Law was re-organized, and Site Plan Review requirements were moved from Section V to Section I, and Site Plan Review requirements were strengthened and expanded.
- In 2003 the By-Law was amended to allow the Planning Board Special Permit Granting Authority for Special Permits A3 for Flexible Residential Development (FRD).

Municipality	Elected or Appointed	Terms	Special Permit Granting Authority/Site Plan Review Process
Abington	5 elected	5 years	According to the Town of Abington Zoning Bylaws, both the Zoning Board of Appeals and the Planning Board act as the special permit granting authorities. The Zoning Board of Appeals acts as the Special Permit Granting Authority in the Flood Plain and Wetlands District, the Planned Commercial District, and the Transitional Commercial District. The Planning Board acts as the Special Permit Granting Authority in the Transit Oriented Development District, the Multiple Use Planned Development District, and for certain types of special permits in the Flood Plain and Wetland Protection District. For multi-unit dwellings in the R-20 (High Density Residential District), the Zoning Board of Appeals acts as the Special Permit Granting Authority, however, they must not render a decision without first consulting with the Planning Board. Additionally, the Planning Board is the Special Permit Granting Authority for all requests for special permits to build apartments.
Acton	9 appointed, 2 alternates	5 years	SPGA split between ZBA, PB and Selectmen. PB is SPGA for all multi-family, and cluster housing, Planned Conservation Residential District, PUD, Open Space Development
Andover	5 appointed, 1 associate	5 years	SPGA is split between PB and ZBA. PB is SPGA for "Reduction or Relocation of Parking Spaces in GB District, Cluster Development, Removal or Regrading of Earth Materials, Planned Development, Multi-Family or Mixed Use, Multiple Family Attached Cluster, Watershed Protection Overlay District, Groundwater Protection Overlay District, Access onto Main Street, Elderly Housing including Assisted Living, Disturbance of Slopes in Excess of 35%" Binding Site Plan Review Certificate of Approval issued by Planning Board for all major projects. Enforced by Building Commissioner.
Arlington	5 appointed	3 years	ZBA and PB share SPGA. All projects for which environmental review is required get Special Permits from the "Redevelopment Board" (?)
Ashland	5 elected	5 years	ZBA is predominant SPGA. PB is SPGA for Senior Housing Overlay.
Bedford	5 elected	3 years	PB and ZBA split SPGA. PB is SPGA for Cluster Development, Industrial Mixed Use Special Permit, Planned Residential Development.
Bellingham	5 elected 1 alt.	3 years	PB is SPGA for all "major" residential development
Belmont	6		PB and ZBA split SPGA. ZBA is SPGA for Cluster Development
Bolton	5 elected, 1 associate		ZBA is main SPGA. Planning Board is SPGA for Farmland and Open Space Residential Developments
Boxborough	5 elected 1 associate		PB is SPGA for Residence District M, Wetland/Flood Hazard District, Private Driveways, Conservation Clusters, Accessory Apartments, Senior Residential Open Space Community, and Section #5.9 (Personal Wireless Service Facilities).
Braintree	5 elected	5 years	Planning Board is only SPGA
Brookline	5 appointed	5 years	ZBA is only SPGA
Burlington	7 elected	5 year terms	The Planning Board is the only SPGA in Burlington, and there is a long list of uses that require special permits. These are primarily uses that may impact the aquifer, wetlands, traffic, or other local concern. The Planning Board is also empowered with site plan review for anything and everything except single family house construction.
Canton	5 elected	5 years	PB is SPGA for FRD, Village Housing Overlay District (senior housing) and Hotel Overlay District. For other projects, ZBA Issues Site Plan Approval with recommendation from Planning Board. However Planning Board is responsible for Town Site Inspection Program, which requires ongoing construction inspections of all but single family homes for compliance with whatever permits that they have. ZBA Issues Site Plan Approval with recommendation from Planning Board. However Planning Board is responsible for Town Site Inspection Program, which requires ongoing construction inspections of all but single family homes for compliance with whatever permits that they have.
Carlisle	7 elected 2 associates	3 years	PS is SPGA for accessory apartments. Wetland/Flood Hazard District, Private Driveways, Conservation Clusters, Accessory Apartments, Senior Residential Open Space Community, and Personal Wireless Service Facilities.
Chelmsford	7 elected	3 year terms	PB is SPGA for "Open Space Residential Developments and certain other uses (hotel, self storage, multi-family, senior living, parking reductions, major business complex, aquifer protection district)."
Cohasset	5 elected	5 years	PB is SPGA for Cluster development and Senior Overlay District.
Concord	7 appointed, 2 associates	5 years	ZBA and PB share SPGA; For Special Permits issued by ZBA, PB Site Plan recommendations are required to be included as a condition of permit approval.
Dedham	5 elected	5 year	PB is SPGA for Major Non-Residential Projects, and senior housing projects. There are no Special Permits for other types of residential development. Site Plan Review done by Planning Board for all but Single Family Homes. Site Plan Approval treated like a Special Permit (binding, filed with Town Clerk) but not called one. In the event of disapproval, the Planning Board must identify in writing exactly how the project does not conform with the Zoning BY-Law or any other laws of the Town. If a project requires Site Plan approval and a Special Permit, the Site Plan approval happens first.
Dover	5 elected	3 year	PB Splits SPGA with ZBA. PB does all multi-family. "Site Plan Review is a regulation of a use rather than a prohibition of a use. It operates in conjunction with a Special Permit. Conditions of Site Plan Review are enforced by Building Commissioner through Occupancy Permits.
Duxbury	7 elected., 2 associates	5 yr.	PB splits SPGA with ZBA. PB does cluster and multi-family
Easton	5 appointed 1 alt.	5 years	Has ONE joint Planning and Zoning Board which is PGA and SPGA for everything.
Essex			PB is SPGA for all multi-family
Foxborough	5 elected 1 alt	3 years	PB is SPGA for all multi-family
Framingham	5 elected 1 alt		PB is SPGA for Mixed use and cluster development
Franklin	5 elected 1 assoc	4 years	Split with ZBA, PB is SPGA for all multi-family
Grafton	7 appointed, 2 associates	5 years	PB is only SPGA
Hamilton	7 elected	5 years	Split between PB and ZBA. PB is SPGA for multi-family and senior housing.
Hanover	5 elected	5 years	PB is primary SPGA for the Town.
Holbrook	5 elected 1 alt	5	PB is SPGA for all multi-family housing
Holliston	5 elected 1 assoc		PB and ZBA split SPGA. PB does multi-family.
Hopkinton	9 elected	5 years	PB is SPGA for "Open Space and Landscape Preservation Development, Garden Apartments in Residential Districts, Senior Housing Development, Campus Style Development, Village Housing (affordable multi-family)." Site Plan Review is administrative process conducted after Special Permits are granted. Conditions identified through Site Plan Review are enforced by Building Commissioner
Hull	7 elected	5 years	Planning Board is SPGA for Overlay Districts; PB has "binding" Site Plan Review Authority for all projects
Hyannis	appointed by elected Town Counsel		PB is SPGA for Open Space Subdivisions, and Downtown Hyannis Village Zoning Districts
Ipswich	5 members appointed by Town Manager, one associate	5 years	PB is SPGA for most Special Permits
Kingston	5 elected, 1 elected	5 years	PB is SPGA for "90% of projects, and have site plan approval authority." PB is SPGA for accessory apartments

Municipality	Elected or Appointed	Terms	Special Permit Granting Authority/Site Plan Review Process
Lenox	5 elected	5 years	PB is SPGA for OSRD only
Lexington	5 elected	3 year terms	PB is SPGA for "all residential developments."
Lincoln	5 elected	5 years	Split with ZBA. Site Plan Review conducted by Planning Board for all uses designated in By-Law (many). No building permit or occupancy permit shall be issued until site plan approval has been granted.
Lynnfield	5 elected	5 years	It appears ZBA is SPGA
Marblehead	5 elected 1 associate	5 years	SPGA split between ZBA and PB. PB has SPGA for all major projects.
Marshfield	5 elected 1 associate	5 years	PB is SPGA for mixed use, Open Space Residential Development, senior housing.
Mashpee	5 Elected, 1 associate	2 year	PB is SPGA for "everything" with exceptions for commercial under 10,000 sf, accessory apartments, and a few other minor items which receive SPs from the ZBA." * In Mashpee we have a Plan Review Committee, made up of municipal department reps (planning, building, fire, police, health, conservation, town manager, DPW) that has separate authority to approve small projects, and also provides recommendations to the Planning Board (residential condos, non-residential projects over 10,000 sq. ft.) and ZBA (non-residential projects 1000-9999 sq. ft., accessory apartments) on special permit approvals. The PB and ZBA have final legal authority for site plan approval as part of their special permit reviews and don't have to follow the recommendations, but they usually do. We also have a "Design Review Committee" made up of an architect, a landscape architect, a PB member and a ZBA member, which similarly advises the boards on architectural, landscape & signage issues on special permit projects."
Maynard	5 appointed, no alternates	5 years	Permit (in addition to the special permit that may be required depending on the proposed use type). The Planning Board, in my tenure, has denied a proposed development that was a use allowed by right since they could not sufficiently satisfy the review criteria as identified in the Site Plan Review section of our Zoning Bylaw. The ZBA only gets involved if the proposed use type designates the ZBA as the SPGA. Otherwise, they would only be involved if a variance is required for a particular proposal. The sequence of events depends on the proposal. If the proposal requires weigh in by the Conservation Commission (per a Notice of Intent or Wetlands/River protection enforcement), then it is wise/required for the applicant to go to the ConsCom first. Next, if a Special Permit is required from the ZBA, applicants have traditionally gone to them first. Then they come to the PB for Site Plan Review. If the ZBA's involvement is not required, then the applicant goes directly to
Medfield	5 elected	5 years	PB issues Site Plan Review Special Permit for all major projects
Medway	5 elected	5 years	PB is SPGA for "Open Space Residential Developments, Adult Retirement Communities, Adaptive Use Overlay District projects, which allow for 2-family or limited business use in older buildings along Rt. 109."
Middleton	5 elected	5,4,3,2,1	PB is SPGA for multi-family and attached housing
Millford	5 elected	5 years	PB is SPGA for all senior housing and planned residential developments.
Millbury	5 elected, 1 appointed associate	3 year	PB is SPGA for most SP uses, including multi-family
Millis	5 elected 1 associate	5 year	PB is SPGA for all Special Permits
Milton	5 elected	5 years	PB is SPGA for all "major" projects as defined by the by-law, including multi-family, cluster, etc. Site Plan Approval by Planning Board is binding, not just recommendation.
Natick	5 elected 1 associate	5 years	PB is SPGA for everything outside of "Downtown Development" district. PB is SPGA for accessory apartments.
Needham	5 elected	5 years	SPGA split between ZBA and PB; PB is SPGA for all "major" projects as defined by the by-law. PB also does a binding Site Plan Review for all other Special Permit projects.
Norfolk	5 elected 1 alt.	3 years	SPGA split between Selectmen and PB
North Reading	5 elected	3 years	SPGA split between PB and ZBA.
Norwell	5 elected	3 years	PB is SPGA for "VRD". Site Plan Review handled similar to Hingham
Norwood			PB is SPGA for Cluster development and Senior Overlay District
Pembroke	7 elected	5 years	SPGA split between PB and ZBA.
Randolph	5 elected		PB is SPGA for Duplexes; ZBA does the rest
Reading			PB is SPGA for Planned Unit Development
Rockland			PB is SPGA for Planned Unit Development, and Site Plan Review Authority for all other SPs
Rockport	5 elected	3 years	is required for a particular proposal.
Scituate	5 elected	3 year terms	PB issues a SP for any use requiring more than five parking spaces, Flood Plain, Common Driveways, Wireless Communication, Planned Development, Residential Cluster Development, Residential Compound Development, Open Space Preservation Development, FRD, Water Resource Protection District, Wind Energy Conversion Systems, Accessory Apartments. "Special Permits issued first by SPGA, then applicants gets a Site Plan Review Special Permit from Planning Board. If the process is truly redundant (planning board is spga and issuing site plan review special permit, site plan review can be waived)."
Sharon	5 elected	5 years	SPGA split between PB and ZBA. PB is SPGA for all multi-family, accessory apartments
Sherborn			PB is SPGA for "CSD"--Flexible Residential Development
South Hadley	5 elected	5 year term	PB is SPGA for all SPs
Southborough	5 elected	5 year	PB is SPGA for "all Major Residential Development and for projects within the Business Village District. We are currently drafting a Low Impact By-Law and Mixed Use By-Law, which will be SPs granted by PB
Stoneham	5 elected	5 years	PB is SPGA for accessory apartments
Stoughton	5 elected	?	
Stow	5 elected, 2 associates	5 year term	PB is SPGA for "Accessory Apartments, FRD, Active Adult Neighborhoods, Wireless, Business or Professional Offices, Retail Stores or Service Establishments, Banks, Salesrooms, Golf Courses, Restaurants, Cross Country Ski Areas."
Sudbury	5 elected 1 associates	3 years	PB is SPGA for Cluster Development and Flexible Development
Swampscott	5 elected	5 years	ZBA is primary SPGA; PB is SPGA for OSRD (cluster development)
Tewksbury	5 elected	5 years	PB is SPGA for "90% of projects, and have site plan approval authority."
Topsfield	5 elected	3 years	SPGA split between PB and ZBA. PB is SPGA for all multi-family, accessory apartments
Wakefield	5 elected 1 alt	5 years	SPGA split between ZBA and PB
Walpole	5 elected	3 years	ZBA

Municipality	Elected or Appointed	Terms	Special Permit Granting Authority/Site Plan Review Process
Wayland	5 elected	5 years	PB is SPGA for Inclusionary Zoning, Senior Housing and Multi-family. Planning Board conducts Site Plan approval process and makes a recommendation to the ZBA. ZBA "shall give due consideration in its decision to the findings and recommendations of the Planning Board report. The decision of the ZBA may deviate from such report, but the ZBA shall submit to the Planning Board written justifications for such deviations prior to the ZBA decision deadline."
Wellesley	5 elected, 1 alternate	5 years	PB is SPGA for "several types of projects mostly in overlay districts." PB is SPGA for Alternative Area regulations in residential districts. Site Plan Review conducted by whatever Board is designated SPGA (Planning Board would do it for Projects they approve, and ZBA for projects they approve.)
Wenham	5 elected	5 years	PB is SPGA for "ROSC"--cluster development
Wrentham	7 elected	3 years	PB is SPGA for multi-family, senior housing, and Site Plan Review Special Permit
Westborough	5 elected	5 year	PB is SPGA for Planned Parcel Development, Open Space Communities.
Weston	5 elected	5 years	PB is SPGA for Flexible Residential Development. Planning Board conducts Site Plan Review. Site Plan Approval is a pre-requisite to an application for a Special Permit. Site Plan Review hearing conducted with public notice similar to a Special Permit hearing. Site Plan can only be disapproved for 1) incomplete application, 2) non-conformity with Site Plan Review criteria, and 3) non-conformance with Zoning By-law.
Westwood	5 elected	3 years	"The Board grants Special Permits for Open Space Residential Subdivisions, Commercial Highway Business District, Downtown Planning and Gateway Commercial District. The Planning Board does not do Site Plan Review-the Board of Selectmen do."
Wilmington	5 appointed	5 years	ZBA and PB split SPGA. PB does multi-family, Conservation Subdivision Design
Winchester	5 elected	3 years	ZBA issues Special Permits

Planning Board Actions 2001-2005

Year	Subdivision Approval	Modify Certificate of Action	Special Permit A-3	Site Plan Review (Special Permit A-2)	SPR (Full Board review shown in paren.)	Form A	40B
2001	1	8	0	9	15(1)	12	3
2002	1	9	0	8	23 (3)	13	1
2003	2	19	0	6	34 (3)	25	0
2004	2	12	1	9	78* (5)	27	0
2005	3	17	1	12	29 (1)	16	0

*2003 numbers are so high because of Derby Street Shop tenant fit-ups.

ZBA Actions 2001-2006

Year	# Total Special Permits Granted Acted on by ZBA	#Special Permits A2 (with Site Plan Review by PB)	#Special Permit A1	#Variances	40b Permits (PB Rec.)
2001	17 (1 withdrawn)	9	9	22	2
2002	20 (1 withdrawn)	8	13	25	0
2003	12	7	5	19	1
2004	25 (1 withdrawn)	9	17	30	1
2005	To be provided	12			0

PLANNING BOARD MEMBERS 1965 - 2006

<p align="center">2000-2006</p> <p>Sarah Corey - Educator Paul Healey - Attorney Tod McGrath - MIT Center for Real Estate Susan Murphy - Attorney John Riley - Roadway and Utility Contractor</p>	<p align="center">1998 - 2000</p> <p>Peter Bickford - Carpenter Sarah Corey - Educator Paul Healey - Attorney David Pinkus - Electrician John Riley - Roadway and Utility Contractor</p>
<p align="center">1995 - 1997</p> <p>Peter Bickford – Carpenter Paul Healey - Attorney Alan Perrault – Site Development Contractor David Pinkus - Electrician John Riley - Roadway and Utility Contractor</p>	<p align="center">1994 - 1995</p> <p>Peter Bickford – Carpenter Thomas Cox - Student Paul Healey - Attorney John Riley - Roadway and Utility Contractor Robert Spruill – Site Development Contractor</p>
<p align="center">1993 - 1994</p> <p>Peter Bickford – Carpenter Richard Cook – Engineer Thomas Cox - Student John Riley - Roadway and Utility Contractor Robert Spruill – Site Development Contractor</p>	<p align="center">1988 - 1992</p> <p>Peter Bickford – Carpenter Richard Cook – Engineer Peter Puciloski - Attorney John Riley - Roadway and Utility Contractor Robert Spruill – Site Development Contractor</p>
<p align="center">1987 - 1988</p> <p>Richard Cook – Engineer Donald Gordon - Structural Building Mover Joan Oates – Political Aide Peter Puciloski - Attorney John Riley - Roadway and Utility Contractor</p>	<p align="center">1986 - 1987</p> <p>Richard Cook – Engineer Alan Devine – Sales Executive (confirm) Joan Oates - Political Aide Peter Puciloski - Attorney John Riley - Roadway and Utility Contractor</p>
<p align="center">1985 - 1986</p> <p>Richard Cook – Engineer Alan Devine – Sales Executive Joan Oates - Political Aide Peter Puciloski - Attorney John Riley - Roadway and Utility Contractor</p>	<p align="center">1981 - 1985</p> <p>Richard Cook – Engineer Alan Devine – Sales Executive Joan Oates – Political Aide Catherine Pietrafitta - Homemaker Peter Puciloski - Attorney</p>
<p align="center">1980 - 1981</p> <p>John Cafferty – Real Estate Management Richard Cook – Engineer Donald Gordon – Structural Building Mover Joan Oates – Political Aide Peter Puciloski - Attorney</p>	<p align="center">1977 - 1980</p> <p>John Cafferty - Real Estate Management Donald Gordon - Structural Building Mover Joan Oates – Political Aide Brian McSweeney – Civil Engineer Stan Nikkel - Educator</p>

PLANNING BOARD MEMBERS 1965 - 2006

<p style="text-align: center;">1975 – 1977</p> <p>Donald Gordon - Structural Building Mover Joan Oates – Political Aide Brian McSweeney – Civil Engineer Stan Nikkel – Educator Richard Tonry - Builder</p>	<p style="text-align: center;">1974 - 1975</p> <p>Donald Gordon – Structural Building Mover Brian McSweeney – Civil Engineer Stan Nikkel – Educator Edward Shields - Attorney Richard Tonry - Builder</p>
<p style="text-align: center;">1973 - 1974</p> <p>Donald Gordon - Structural Building Mover Brian McSweeney – Civil Engineer Paul Murphy – Edward Shields - Attorney Richard Tonry - Builder</p>	<p style="text-align: center;">1972 - 1973</p> <p>Joseph Daley - Engineer Donald Gordon - Structural Building Mover Brian McSweeney – Civil Engineer Edward Shields - Attorney Richard Tonry - Builder</p>
<p style="text-align: center;">1971 - 1972</p> <p>David Allen - Salesman Joseph Daley - Engineer Willis Ertman – Patent Attorney Brian McSweeney – Civil Engineer Edward Shields - Attorney</p>	<p style="text-align: center;">1970 - 1971</p> <p>David Allen - Salesman Willis Ertman – Patent Attorney Emmette Jackson - Engineer Brian McSweeney – Civil Engineer Edward Shields - Attorney</p>
<p style="text-align: center;">1967 - 1970</p> <p>Joseph Daley - Engineer Willis Ertman – Patent Attorney Emmette Jackson - Engineer Brian McSweeney – Civil Engineer Edward Shields - Attorney</p>	<p style="text-align: center;">1966 - 1967</p> <p>Horace Baker - Lawyer Joseph Daley - Engineer Emmette Jackson - Engineer Francis Mahony - Wastewater Mfg. Co. Owner Brian McSweeney – Civil Engineer</p>
<p style="text-align: center;">1965 - 1966</p> <p>Horace Baker - Lawyer Joseph Daley - Engineer Francis Mahony – Wastewater Mfg. Co. Owner Brian McSweeney – Civil Engineer Cranston Rogers – Civil Engineer</p>	